IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO: 21540 of 1998**

Between:

1 T.Vanamala, W/o Raja Narasaiah,
R/o Badwel, Cuddapah Dist. Vehicle No.APO4 C 2203.
2 R.Bulli Reddy, S/o Veera Reddy,
R/o Badwel, Cuddapah Dist. Vehicle No.APO4 8155.
3 K.Prabhakar Rao, S/o K.Srinivasulu Naidu,
R/o Rajampet, Cuddapah Dist. Vehicle No.APO4 C 2367.
4 G.Tirupal, S/o Balaiah,
R/o Cuddapah Dist. Vehicle No.APO4 C 0314.
5 V.Sudhkar Reddy, S/o V.Raghu Rami Reddy,
R/o Rajampet, Cuddapah Dist. Vehicle No.AP16g 7141.
6 P.Ramachandra Naidu, S/o P.Subba Naidu,
R/o Rajampet, Cuddapah Dist. Vehicle No.APO4 C 1953.
7 P.Bhaskar reddy, S/o Venkata reddy,
R/o Rajampet, Cuddapah Dist. Vehicle Chassis No.2FW-DW-151898,
Engine No.DW-151898.
8 K.Baba Saheb, S/o Razak,
R/o Cuddapah Dist. Vehicle No.APO4 C 3942.
9 P.Mahanandi, S/o Jagamaiah,
R/o Cuddapah Dist. Vehicle No.APO4 B 2022.

**..... PETITIONERS**

AND

The Secretary, Regional Transport Authority,
Cuddapah.

**.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other Appropriate Writ, or direction, declaring the action of the respondent herein not assigning the petitioners vehicles as a 6 in all

taxi cabs as illegal, arbitrary and discriminatory and further direct the respondent to assign the petitioners vehicles bearing APO4C 2203, APO4 8155, APO4C 2367, APO2V 0314, AP164 7141, APO4C 1953 Chassis No.2FW-DW-151898, Engine No.DW-151898, APO4 3942, APO4 B 2022 as a 6 in all taxi cabs by granting all Andhra permit.

**Counsel for the Petitioner: MR.B.CHANDRA SHEKHAR**

**Counsel for the Respondent: GP FOR TRANSPORT**

**The Court made the following:**

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the inaction of the respondents to register the vehicles of the petitioners as 6 in all Taxi Cabs as illegal and contrary and further, to direct the respondents to register the vehicles of the petitioners as 6 in all Taxi Cabs.

When the matter is taken up for hearing, it is submitted by the learned Government Pleader for Transport appearing for the respondent and is conceded by the learned counsel for the petitioners that the subject matter involved in this writ petition is squarely covered by the judgment of this Court in **O.Gangadhar Vs. Transport Commissioner, A.P.**., wherein it is held that though reduction of seats in the vehicle does not require the previous permission of the Registering Authority, the owners of the vehicles are not entitled to get the seating capacity reduced by reducing the number of seats.

In the instant case, admittedly, the petitioners approached the respondents for adaption of their vehicles as Taxi Cabs and also sought to register the same as 6 in all Taxi Cabs, but the same was rejected by the respondents on the ground that the vehicles initially manufactured with more than 10 seats but adapted as 7-seator cannot be registered as Taxi Cab.

Therefore, following the aforesaid judgment of the Division Court, this writ petition is dismissed for the same and similar reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Secretary, Regional Transport Authority,
Cuddapah.

2 Two C.Cs. to G.P. for Transport, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

3 2 CD copies

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